

**2004 ZONING BYLAW EDITS AND REVISIONS**

**May 4, Annual Town Meeting**

**Article Thirty-First: Table of Use Regulations**

**Article Thirty-Second: Definitions**

## **ARTICLE I**

### **DEFINITIONS**

For the purpose of this By-Law, certain terms and words shall have the following meanings. Words used in the present tense include the future; the singular number includes the plural, the singular; the words, "used" or "occupied" include the words "designed", "arranged", "intended", or "offered", to be used or occupied; the words "building", "structure", "lot", "land", or "premises" shall be construed as though followed by the words "or any portion thereof" and the words "shall" and "will" are always mandatory and not merely directory. Terms and words not defined herein but defined in the Building Code\* or Subdivision Regulations shall have the meaning given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in Webster's Unabridged Dictionary, Third Edition. Uses listed in the Table of Use Regulations under the classes Retail and Service, Trades and Wholesale, Transportation and Industrial shall be further defined by the *North American Industry Classification System--United States, 2002*.

\*Massachusetts State Building Code

1.01 Abandonment.

The act of an owner to discontinue a nonconforming use of a building or premises; or the removal of the characteristic equipment or furnishing used in the performance of the nonconforming use, without its replacement by similar equipment or furnishings; or the use or the replacement of the nonconforming use or building by a conforming use or building.

1.02 Alteration.

Any external construction, reconstruction or other action resulting in a change in the structural parts or height, number of stories or exits, size, use or location of a building or other structure. \*\*\*\*

1.03 Automatic Teller Machine (ATM)

A free-standing, enclosed or wall-mounted facility for conducting banking business such as withdrawals, deposits and transfers outside of a traditional banking structure.

1.04 Bank

An establishment providing financial services such as accepting deposits, making loans, and investing funds for clients. .

1.05 Basement.

A portion of a building, partly below grade, which has more than one-half (1/2) its height, measured from finished floor to finished ceiling, above the average finished grade of the ground adjoining the building. A basement is not considered a story unless its ceiling is six (6) feet or more above the average finished grade.

1.06 Bed and Breakfast

An establishment providing short-term lodging in a private home or small building converted for this purpose. A bed and breakfast establishment typically includes a full breakfast in the room rate.

1.07 Board.

The Zoning Board of Appeals of the Town of Topsfield, Massachusetts.

1.08 Boarding House.

A house in which no more than two (2) furnished lodging units are rented for not less than fourteen (14) days and for which meals are provided but said lodging units do not contain separate kitchen facilities or kitchen rights to individual boarders. (Art. 38, 5-7-1985)

1.09 Buildable Area

That portion of a lot which is composed of ground dry and permeable enough to permit construction of a dwelling and appurtenances thereto including the installation and use of facilities for

disposal of sewage. Buildable Area shall not include any area within a Flood Plain District as defined in Article VI.

- 1.10 **Building - Attached.**  
A building having any portion of one (1) or more walls in common with adjoining buildings.
- 1.11 **Building Line.**  
A line equidistant to the street line which passes through a specified point of the principal building.
- 1.12 **Building Line, Front.**  
A building line which passes through the point within the principal building nearest to the street line.
- 1.13 **Building Line, Rear.**  
A building line which passes through the point within the principal building farthest from the street line.
- 1.14 **Certificate of Use and Occupancy.**  
A written form signed by the Inspector of Buildings certifying that the stated and described use, structure and/or lot conforms with this By-Law, or, in the case of a Special Permit or variance with the written instructions of the Board.
- 1.15 **Civic and Social Organization**  
A civic, social, sports or fraternal organization which is engaged in promoting the civic and social interests of its members and which is used exclusively by members and their guests and is not conducted as a gainful business.
- 1.16 **Commercial Forestry.**  
Business enterprises in which timber and trees are cut and taken off for sale.
- 1.17 **Condominium.**  
The land, the building or buildings, all other improvements and structures thereon, and all easements, rights and appurtenances belonging thereto, which have been submitted to the provisions of Chapter 183A of the Massachusetts General Laws.
- 1.18 **Convenience Goods.**  
Goods including but not limited to food and proprietary goods, and other goods required to meet the daily shopping needs of households.
- 1.19 **Cosmetics, Beauty Supplies, and Perfume Store**  
An establishment primarily engaged in retailing cosmetics, perfumes, toiletries, and personal grooming products.
- 1.20 **Day camp for children**  
An establishment operating during day-time school vacation periods and offering primarily outdoor recreational activities or athletic or educational instruction.
- 1.21 **Distribution Center**  
An establishment providing services, often referred to as logistics services, related to the distribution of goods. These services can include labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement.
- 1.22 **District.**  
A zoning district as established by Article II of this By-Law.
- 1.23 **Drive-in/Drive-through Eating Establishment.**  
Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in

automobiles and including those establishments where customers may serve themselves and may eat food or drink refreshments or beverages in automobiles and including establishments intended for large volume or fast service with on- or off-premises consumption, which, because of the nature of sales, operation, or market serviced, cause a large volume or frequent turnover of vehicular traffic.

1.24 Drive-in/Drive-through Establishment.

A business establishment wherein patrons may be served while seated in parked vehicles in the same lot, such as banks, cleaners, and the like.

1.25 Driveway.

An open space, located on a lot, used for access to a garage, off-street parking, or loading space.

1.26 Dwelling.

A privately or publicly owned, permanently fixed structure containing a dwelling unit or dwelling units. The term "one family", "two family", or "multifamily" shall not include hotel, bed and breakfast, lodging house, hospital, trailer, dormitory, rooming house, guest or tourist house, or boarding house.

1.27 Dwelling Unit.

A single housekeeping unit, with cooking, living, sanitary and sleeping facilities

1.28 Earth Removal.

Extraction of soil, loam, sand, gravel, stone or other earth materials for commercial purposes other than site preparation incidental to and necessary for approved developments.

1.29 Essential Services.

Services provided by public utility or governmental agencies through erection, construction, alteration or maintenance of underground or overhead gas, electrical, stream or water transmission and distribution systems; and collection, communication, supply or disposal systems. Facilities necessary for the provision of essential services include poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith. Specifically excluded from this definition are buildings necessary for the furnishing of adequate service by such public utility or governmental agencies for the public health, safety or general welfare.

1.30 Exception.

The use of a structure or lot or any action upon a premises which may be permitted under this By-Law only upon application to and approval of the Permit Granting Authority in accordance with the provisions of Article V.

1.31 Farm Stand.

An establishment selling farm products produced by the owner of the land on which the stand is located. See MGL 40A for further definition and regulation.

1.32 Farmers Market

An establishment providing the location for individual private growers of fruit, vegetables and horticultural items to sell their products to the general public during the growing months for their crops.

1.33 Filling.

Any deposit, placement, storage or redistribution of, but not limited to, soil, earth, sand, gravel, rock, loam, or other similar material on any land, wetland, or in water courses and including the conditions resulting therefrom.

1.34 Fitness and Recreational Sports Facility

An indoor establishment providing fitness and recreational sports instruction featuring exercise and other active physical fitness conditioning or recreational sports activities.

- 1.35 Floodline.  
The limits of flooding from a particular body of water caused by a flood or other natural phenomena whose general frequency or occurrence is once in one hundred (100) years as determined and certified by a registered professional engineer qualified in drainage, or as otherwise defined by this By-Law.
- 1.36 Floor Area, Gross.  
The sum of the areas of the several floors of a building, measured from the exterior faces of the walls. It does not include cellars, unenclosed porches or attics not used for human occupancy or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the requirements of this By-Law, or any such floor space intended and designed for accessory heating and ventilating equipment.
- 1.37 Floor Area Ratio.  
The ratio of the gross floor area to the total area.
- 1.38 General Merchandise  
A collection of durable and non-durable goods.
- 1.39 Grade.  
The incremental change in elevation between two (2) points divided by their horizontal separation. Grades may be expressed either as a fraction or a percentage.
- 1.40 Guest House.  
A house in which not more than seven (7) furnished lodging units are rented for less than fourteen (14) consecutive days and for which no kitchen rights or individual cooking facilities are available but for which meals are provided. (Art. 38, 5-7-1985)
- 1.41 Gutter Line.  
The lowest line within a roof structure.
- 1.42 Hardware store  
An establishment selling goods associated with home improvement and repair such as tools, paint and painting supplies, fasteners, small plumbing and electrical goods, but not building supplies such as lumber, roofing materials, windows and other structural materials.
- 1.43 Height.  
The vertical distance from the average finished grade of the ground adjacent to the structure to a line representative of the average of the height at the structure's roof line and its height at the gutter line of the main roof.
- 1.44 Historic Building.  
A building which is listed in the National Register of Historic Places and/or the Inventory of Historic Assets of the Commonwealth of Massachusetts, or a building identified by the Topsfield Historical Commission as being of historical significance and filed with the Massachusetts State Historical Commission.
- 1.45 Home Farm Product Stand.  
Home Farm Product Stand is an establishment located on a residential property and dedicated to the selling of farm products grown or raised on the premises by the owner or the owner's family.
- 1.46 Home Occupation.  
An occupation customarily carried on at home, the use of a room in a dwelling as an office, studio, or work room by a person residing on the premises and in connection with which there is kept no stock in trade nor commodity sold on the premises. See Article III, 3.07. (Art. 40, 5-2-1990)

- 1.47 Hospital.  
A building providing medical service including twenty-four (24)-hour in-patient services for the diagnosis, treatment or other care of human ailments; a sanitarium; sanatorium; clinic; rest home; nursing home and convalescent home.
- 1.48 Hospital, Veterinary.  
A building providing for the diagnosis and treatment of ailments of animals other than human and which includes facilities for overnight care.
- 1.49 Junk.  
Any worn out, cast-off or discarded articles or materials which are ready for destruction or disposal or have been collected or stored for salvage or conversion to some use. Any article or material which, unaltered or unchanged or without further reconditioning, can be used for its original purpose as readily as when new, shall not be considered junk.
- 1.50 Junk Motor Vehicle.  
Any motor vehicle not capable of being used as such in its existing condition by reason of being damaged or dismantled or failing to contain parts necessary for operation and otherwise qualifying as junk.
- 1.51 Loading Space.  
An off-street space used for loading or unloading.
- 1.52 Lodging Unit.  
One or more rooms for the use by one or more individuals not living as a single housekeeping unit and not having cooking facilities. A "lodging unit" shall include rooms in boarding houses, tourist houses, or rooming houses.
- 1.53 Lodging House.  
A house in which no more than two (2) furnished lodging units are rented for not less than fourteen (14) days and not having separate cooking facilities for each lodging unit but having use of common cooking facilities for all lodging units. (Art. 37, 5-7-85)
- 1.54 Lot.  
An area of land in one ownership with definite boundaries, used, or available for use, as a site for one or more buildings.
- 1.55 Lot, Corner.  
A lot at the point of intersection of and abutting on two (2) or more intersecting streets.
- 1.56 Lot Depth.  
The mean horizontal distance between the front lot line and the rear lot line measured at right angles to the front lot line.
- 1.57 Lot Line, Front.  
The property line dividing a lot from a street **measured at the edge of the (right-of-way)**. On a corner lot the owner shall designate one street line as the front lot line.
- 1.58 Lot Line, Rear.  
The lot line opposite from the front lot line.
- 1.59 Lot Line, Side.  
Any lot line not a front or rear lot line.
- 1.60 Lot, Nonconforming.  
A lot lawfully existing at the effective date of this By-Law or any subsequent amendment thereto, which is not in accordance with all provisions of this By-Law.

- 1.61 Lot, Through.  
An interior lot, the front and rear lot lines of which abut streets, or a corner lot, two (2) opposite lines of which abut streets.
- 1.62 Lot Width.  
The horizontal distance between the side lot lines as measured parallel to the street line at the minimum front yard depth required by this By-Law.
- 1.63 Medical Clinic.  
Building providing out-patient services used for the diagnosis, treatment or other care of human ailments.
- 1.64 Mobile Home.  
A dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities and designed to be installed on a temporary or permanent foundation for permanent living quarters.
- 1.65 Single Family Dwelling  
A building containing a single dwelling unit.
- 1.66 Two Family Dwelling  
A building containing two (2) dwelling units.
- 1.67 Multi-Family Dwelling  
A building containing at least three (3) and no more than four (4) dwelling units including condominiums.
- 1.68 Multiple-Family Residences for the Elderly.  
The term "Multifamily Residences for the Elderly" shall mean multifamily dwellings, each building of which shall contain not less than two (2) nor more than six (6) independent dwelling units consisting of a suite of rooms, its own bath and toilet facilities and its own kitchen facility. Each such multifamily dwelling building may also include central kitchen and dining facilities for providing meals to the residents thereof and their guests but not to the public and may also provide lounge rooms for the common use of residents and their guests. At the time of occupancy, in each such dwelling unit, one of the residents must be a person who is fifty-five (55) years of age or over. No Housing for the Elderly Development shall contain more than seventy-five (75) independent dwelling units.  
In one of such buildings, a unit may be included for occupancy by a manager of the development and his or her immediate family, one room of which may be used for an office. The manager's unit need not be occupied by a person fifty-five (55) years of age or over.  
Except for the unit so used and occupied by the manager, no dwelling unit in a Multifamily Residence for the Elderly shall be resided in by more than three (3) persons. (Art. 29, 5-3-1985; Art. 17, 5-4-1993)
- 1.69 Museum.  
A building or place that is open to the public on a regular basis and used primarily for the collecting, preservation, study, exhibition and educational use of works of art, scientific specimens, historical artifacts and the like.
- 1.70 Office.  
A place in which functions such as directing, consulting, record keeping, clerical work, and sales (without the presence of merchandise) of a firm are carried on; also a place in which a professional person conducts his professional business.
- 1.71 Open Space.  
The space on a lot unoccupied by buildings, swimming pools, and terraced areas, not devoted to streets, driveways, or off-street parking or loading space.

- 1.72     **Optical Goods Store.**  
An establishment engaged in (1) retailing and fitting prescription eyeglasses and contact lenses; (2) retailing prescription eyeglasses in combination with the grinding of lenses to order on the premises; and (3) selling nonprescription eyeglasses.
- 1.73     **Owner.**  
The duly authorized agent, attorney, purchaser, devisee, trustee, lessee or any person having vested or equitable interest in the use, structure, or lot in question.
- 1.74     **Permit Granting Authority.**  
The Board of Appeals, Town of Topsfield, Massachusetts.
- 1.75     **Pharmacy (Drug Store)**  
An establishment engaged in retailing prescription and nonprescription drugs and medicines.
- 1.76     **Planned Development.**  
A development involving the construction of two (2) or more principal buildings on the same lot or group of lots for any permitted use which is planned, designed and developed as a unit so as to provide a functional and attractive development.
- 1.77     **Professional, Technical, Scientific and Business Offices**  
Establishments housing office and work space for individuals providing professional, technical, scientific, or business expertise and services for others (without the presence of merchandise).
- 1.78     **Recreational Facilities**  
Outdoor facilities providing space for the pursuit of recreational sports, fitness and athletic activities including playgrounds, athletic playing fields, walking, jogging, horse-back riding and bicycling paths, tennis courts, golf courses, hunting and fishing activities. Publicly owned recreational facilities are owned by a public entity and are open to the general public. Privately owned recreational facilities are owned by a non-profit or by a for-profit entity and are open to the general public either free of charge or for a fee or are open only to members and their guests.
- 1.79     **Restaurant**  
An establishment offering food and beverages for consumption on the premises and for take-out service.
- 1.80     **Roof Line.**  
The highest line within a roof structure.
- 1.81     **School (For Profit and Non-Profit)**  
An establishment that provides instruction or training in a particular subject or set of subjects other than fitness and recreational sports instruction. Included are institutions such as elementary and secondary schools that offer diplomas, institutions that offer training preparatory for licences and certification, tutoring and instruction in languages, fine arts, business skills, computers, and management. A non-profit school is operated by a 5013C corporation (Non-Profit Corporation). A for-profit school is operated by an individual, group or corporation for financial gain.
- 1.82     **Screening.**  
Any combination of materials designed and intended to provide protection from visibility, noise, dust and wind, including walls, fences, earthen berms or mounds, hedges, trees and shrubbery.
- 1.83     **Service Station.**  
A building or part whose chief activity is the selling of gasoline, oil and related products for motor vehicles or the provision of lubricating service or limited auto repair.
- 1.84     **Slope.**  
The vertical rise divided by the horizontal distance and expressed as a fraction or percentage, e.g. one-



fifth (1/5) or twenty (20) percent.

1.85 Special Permit Granting Authority.

The Planning Board, Town of Topsfield, Massachusetts.

1.86 Storage Facilities

Establishments primarily engaged in providing facilities to store goods. These establishments include those renting or leasing space for self- storage which provide secure space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients can store and retrieve their goods.

1.87 Story.

That part of a building comprised between a floor and the floor or roof next above. If a mezzanine floor exceeds one-third (1/3) of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be classified as a story when its ceiling is six (6) or more feet above the average finished grade.

1.88 Story, Half.

A story under a gable, hipped, or gambrel roof, the floor area of which does not exceed fifty (50) percent of the floor immediately below. Such area is measured where the vertical distance between floor and ceiling is six (6) feet or more.

1.89 Street.

Shall mean all the land within the right-of-way including the traveled way, curbing, grass strips, sidewalks, drainage and utilities, and has been accepted by Town Meeting vote and with a transfer of deed.

1.90 Street Line.

Street line shall have the same meaning as front lot line.

1.91 Structure.

A combination of materials assembled at a fixed location to give support or shelter, such as, but not limited to, a building, bridge, trestle, tower, framework, retaining wall, swimming pool, tank, tunnel, tent, stadium, tennis court, reviewing stand, platform, bin, fence, sign, or the like.

1.92 Structure - Nonconforming.

A structure lawfully existing at the effective date of this By-Law or any subsequent amendment thereto, which does not conform to one or more provisions of this By-Law.

1.93 Temporary Accessory Apartment.

A separate dwelling unit within a single family detached dwelling that upon Special Permit is occupied by a family member of an owner of the single detached dwelling or by a caregiver to such family member or owner. (Art. 33, 5-1-2001)

1.94 Town House

A row of attached dwelling units, each separated from other dwelling units by a fire wall or walls and each with direct access to the outside.

1.95 Transportation Services

Services which include taxis, limousines, busses and other passenger vehicles for hire.

1.96 Use.

The purpose for which a structure or lot is arranged, designed, or intended to be used, occupied or maintained.

1.97 Use, Accessory

A use subordinate to and in connection with the principal use and customarily incidental to the principal use. (Art. 39, 5-2-1990)

- 1.98 Use, Nonconforming.  
A use lawfully existing at the time of adoption of this By-Law or any subsequent amendment(s) thereto which does not conform to one (1) or more provisions of this By-Law.
- 1.99 Use, Principal.  
The main or primary purpose for which a structure or lot is designed, arranged, or intended or for which it may be used, occupied or maintained under this By-Law. Any other use within the main structure or the use of any other structure or land on the same lot and incidental or supplementary to the principal use and permitted under this By-Law shall be considered an accessory use.
- 1.100 Use, Substantially Different.  
A use which by reason of its normal operation would cause significant differences in patronage, service, appearance, noise, employment or similar characteristics from the use to which it is being compared.
- 1.101 Variance.  
Such departure from the terms of this By-Law as the Board, upon appeal in specific cases, is empowered to authorize under the terms of Article V, and Chapters 40A and 40B of the General Laws.
- 1.102 Warehouse  
An establishment exclusively engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other warehouse products but not selling the goods handled to the general public.
- 1.103 Wind Energy Conversions System (WECS).  
Any mechanical system that converts the kinetic energy of wind into mechanical, electrical, or electro-mechanical energy. (Art. 25, 5-4-1982)
- 1.104 Yard.  
A portion of a lot, upon which the principal building is situated, unobstructed artificially from the ground to the sky and not dedicated to any other use, except as otherwise provided herein, and having at least two (2) sides open to lot lines.
- 1.105 Yard, Front.  
A yard extending for the full width of the lot line between the front line of the nearest building wall and the front lot line.
- 1.106 Yard, Rear.  
A yard, unoccupied, except by an accessory structure or accessory use as herein permitted, extending for the full width of the lot between the rear line of the building wall and the rear lot line.
- 1.107 Yard, Side.  
Yard extending for the full length of a building between the nearest building and the side lot line.
- 1.108 Zoning Administrator.  
The person designated by the Board of Appeals and confirmed by Board of Selectmen, to carry out such duties as may be designated by the Board of Appeals in accordance with the Zoning Act.  
  
(Art 3, 6-25-1947; Art. 50, 5-9-1978; Art. 23, 5-5-1981; Art. 25, 5-4-1982;  
Art. 29, 5-3-1988; Art. 33, 5-1-2001)

### 3.02 Permitted Uses.

The following Table of Use Regulations designates for each zoning district the uses permitted by right (P), the uses that may be permitted by a special permit in the district in accordance with Article V (S), the uses not permitted (NP), and uses that are not applicable (NA). In the Business Village Mixed Use Zone mixed uses shall be allowed provided that each principal use is separately allowed in the bylaw for the Business Village District. (Art. 45, 5-9-1978; Art. 23, 5-5-1981; Art. 25, 5-4-1982; Art. 41, 5-7-1985; Art. 37, 5-2-1990; Art. 34, 5-1-2001)

**Table of Use Regulations**

#### Overlay Districts

<b>Elderly Housing District</b>	Permitted in all zones by Special Permit. See Article III, 3.16
<b>Groundwater Protection District</b>	See Article XI for delineation and permitted uses.
<b>Flood Plain District</b>	See Article VI for delineation and permitted uses.

#### Zones

<b>Residential</b>	<b>ORA = Outlying Residential and Agricultural</b>	<b>Mixed Use</b>	<b>BV= Business Village</b>
	<b>IRA = Inner Residential and Agricultural</b>	<b>Commercial</b>	<b>BH = Business Highway</b>
	<b>CR = Central Residential</b>		<b>BP = Business Park</b>

**Abbreviations:** P = Permitted, S = Special Permit, NP = Not Permitted, NA = Not Applicable

Permitted Uses		ORA	IRA	CR	BV	BH	BP
<b>1. Residential</b>							
1.1	Single Family Dwelling	P	P	P	P	NP	P
1.2	Two Family Dwelling	NP	NP	NP	<b>S</b>	NP	NP
1.3	Multi-Family Dwelling	NP	NP	NP	S	NP	NP
1.4	Multi-Family Residence for the Elderly	See Elderly Housing Overlay District above.					
1.5	Lodging and Boarding houses	S	S	S	S	NP	S
1.6	Temporary Accessory Apartments	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	NA	P <sup>1</sup>
<b>2. Community Facilities</b>							
2.1	Church	P	P	P	P	P	P
2.2	Non-Profit School	P	P	P	P	P	P
2.3	For Profit School	NP	NP	NP	S	S	NP
2.4	Town building except Public Works Garage and Fire Station	P	P	P	P	P	P
2.5	Town Public Works Garage and Fire Station	S	S	S	S	P	S
2.6	Publicly-owned recreational facilities	P	P	P	P	P	P
2.7	Privately-owned recreational facilities	S	S	NP	NP	NP	S
2.8	Library or Museum	P	P	P	P	P	P
2.9	Cemetery	S	S	NP	NP	NP	S
2.10	Day Camp for children	S	S	S	S	NP	S
2.11	Public Utilities	S	S	S	S	S	S
2.12	Civic and Social Organizations	S	S	S	S	S	S
2.13	Communications and telephone towers	See Article XII for restrictions and regulations.					
2.14	Hospital	S	S	NP	NP	NP	S
<b>3. Agriculture</b>							
3.1	Agricultural, horticultural, viticultural and floricultural production	P	P	P	P	P	P

Permitted Uses		ORA	IRA	CR	BV	BH	BP
3.2	Non-commercial forestry	P	P	P	P	P	P
3.3	Commercial forestry (excluding milling)	S	S	NP	NP	S	S
3.4	Farm Stand (on property of less than 5 acres)	P	P	S <sup>2</sup>	S <sup>2</sup>	S <sup>2</sup>	P
3.5	Farm Stand (on property of more than 5 acres)	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>
3.6	Farmers Markets	S	S	P	P	P	S
3.7	Home farm products stand	P	P	P	P	NA	P
3.8	Raising of livestock for commercial use	S	S	S	NP	NP	S
3.9	Commercial kennels, stables or veterinary hospital	S	NP	NP	NP	P	S
<b>4</b>	<b>Retail and Service</b>						
4.01	Retail establishment selling principally convenience goods	NP	NP	NP	P	NP	NP
4.02	Retail establishment selling general merchandise	NP	NP	NP	P	NP	NP
4.03	Hardware store	NP	NP	NP	P	NP	NP
4.04	Retail establishment selling foods	NP	NP	NP	P	NP	NP
4.05	Retail establishment selling sporting goods	NP	NP	NP	P	NP	NP
4.06	Pharmacy (Drug Store)	NP	NP	NP	P	NP	NP
4.07	Optical Goods Store	NP	NP	NP	P	NP	NP
4.08	Cosmetics, beauty supply and perfume store	NP	NP	NP	P	NP	NP
4.09	Retail establishment selling hand-crafts	NP	NP	NP	P	NP	NP
4.10	Retail establishment selling motor vehicles	NP	NP	NP	NP	S	NP
4.11	Dry-cleaning and laundry establishment (except coin operated)	NP	NP	NP	P	NP	NP
4.12	Restaurant	NP	NP	NP	S	NP	NP
4.13	Guest House and Bed and Breakfast	S	S	S	S	S	S
4.14	Drive-in and drive-through eating establishment	NP	NP	NP	NP	NP	NP
4.15	Funeral Establishment	NP	NP	NP	S	S	NP
4.16	Bank (full service)	NP	NP	NP	P	S	NP
4.17	Exterior Automatic Teller Machines	NP	NP	NP	S	S	NP
4.18	Interior Automatic Teller Machines	NP	NP	NP	P	P	NP
4.19	Drive-in and drive-through establishment	NP	NP	NP	S	S	NP
4.20	Automotive repair or service	NP	NP	NP	NP	S	NP
4.21	Professional, technical, scientific and business offices	NP	NP	NP	P	P	S
4.22	Other business repair services	NP	NP	NP	P	P	NP
4.23	Art Gallery	NP	NP	NP	P	NP	NP
4.24	Fitness and recreational sports facilities	NP	NP	NP	S	S	S
4.25	Barber Shops	NP	NP	NP	P	NP	NP
4.26	Beauty Salons	NP	NP	NP	P	NP	NP
4.27	Skin and Nail Care Salons	NP	NP	NP	P	NP	NP
4.28	Medical and Dental Offices	NP	NP	NP	P	S	S
4.29	Chiropractors' Offices	NP	NP	NP	P	S	S
4.30	Amusement or recreation services	NP	NP	NP	NP	NP	NP
4.31	Commercial parking lot	NP <sup>3</sup>	NP <sup>3</sup>	NP <sup>3</sup>	NP <sup>3</sup>	NP <sup>3</sup>	NP <sup>3</sup>
4.32	Installation of WECS	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>

Permitted Uses		ORA	IRA	CR	BV	BH	BP
<b>5. Trades, Wholesale, Transportation and Industrial</b>							
5.01	Manufacturing	NP	NP	NP	NP	S	S
5.02	Construction industry and supplies	NP	NP	NP	NP	S	S
5.03	Transportation services	NP	NP	NP	S	S	NP
5.04	Commercial earth and stone removal	NP	NP	NP	NP	NP	NP
5.05	Processing and/or storage of earth products	NP	NP	NP	NP	NP	NP
5.06	Warehouses	NP	NP	NP	NP	NP	NP
5.07	Distribution centers	NP	NP	NP	NP	NP	NP
5.08	Storage Facilities	NP	NP	NP	NP	NP	NP
5.09	Wholesale automobile sales	NP	NP	NP	NP	NP	NP
5.10	Research office and development facilities	NP	NP	NP	NP	S	S
<b>6. Accessory Uses</b>							
6.01	Home Occupation	P	P	P	P	NA	P
6.02	Accessory building or other structure subject to provisions of Article VI	P	P	P	P	P	P
6.03	Accessory uses normally incidental to residential uses including keeping of domestic animals and agricultural and horticultural uses	P	P	P	P	NA	P
6.04	Accessory private garage for not more than three commercial vehicles except on farm	S	S	S	S	S	P
6.05	Storage of one unregistered motor vehicle, trailer, boat or motorized home in the open not within any required setback	P	P	P	P	P	P
6.06	Accessory outside storage necessary for operation of principal use	S	S	S	S	S	S
6.07	Accessory Signs	P	P	P	P	P	P
6.08	Accessory parking and loading spaces	P	P	P	P	P	P
6.09	Swimming pools, tennis courts and similar uses accessory to a residence.	P	P	P	P	P	P

#### Footnotes

<sup>1</sup>In accordance with Article VII, 7.03 Temporary Accessory Apartment Special Permit By-Law

<sup>2</sup>Subject to definition and restrictions of MGL40A

<sup>3</sup>Except in accordance with Article III, 3.13 and 3.14

<sup>4</sup>See Article IV, 4.11 for regulations